

Exhibit “C”

Fred W. Schwinn (SBN 225575)
CONSUMER LAW CENTER, INC.
12 South First Street, Suite 1014
San Jose, California 95113-2418
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Attorney for Plaintiff
BRUCE ALBERT JOHNSON

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

BRUCE ALBERT JOHNSON,

Plaintiff,

V.

CFS II, INC., an Oklahoma corporation,

Defendant:

Case No. 5:12-CV-01091-LHK-PSG

**NOTICE OF TAKING DEPOSITION OF
DEFENDANT CFS II, INC.'S,
DESIGNATED REPRESENTATIVE(S)
PURSUANT TO FED. R. CIV. P. 30(b)(6) BY
STENOGRAPHER AND/OR VIDEOTAPE,
DUCES TECUM**

Deponent: Designee for Defendant, CFS II, Inc.

Date: November 6, 2012
Time: 10:00 a.m.

Location: Frank Peterson & Associates
Nine East Fourth Street, 6th Floor
Tulsa, Oklahoma 74103

TO: CFS II, Inc.
c/o Robert C. Chandler
Chandler, Potter & Associates
3800 Orange Street, Suite 270
Riverside, CA 92501

PLEASE TAKE NOTICE that, pursuant to Fed. R. Civ. P. 30(b)(6), commencing on November 6, 2012, at 10:00 a.m., and thereafter by adjournment until the same shall be completed, at the offices of Frank Peterson & Associates, Nine East Fourth Street, 6th Floor, Tulsa, Oklahoma 74103,

1 OR such other location as may be later designated by Amended Notice, Plaintiff, through his counsel,
2 will take the deposition(s) under oath of the designated representative(s) of Defendant, CFS II, INC.
3 (hereinafter, "CFS"), before a qualified notary public under Fed. R. Civ. P. 28, stenographically and/or
4 by videotape.

5 **PLEASE TAKE FURTHER NOTICE** that, the designated representative(s) of CFS must be
6 prepared to testify regarding "matters known or reasonably available to" Defendant, including but not
7 limited to the following topics:

- 9 1. The factual basis for CFS' Answer;
- 10 2. Any and all other information related to CFS' defenses contained in its Answer;
- 11 3. The collection methods, practices, techniques and strategies used by CFS in its efforts to collect
12 debts from consumers during the months of January 2009 through the present;
- 13 4. The use of alias names by any Defendant and or employee of CFS in the collection of consumer
14 debts;
- 15 5. All account notes, collection logs, miscellaneous notes, debtor work cards, or other
16 documentation methods, if any, whether computerized, manual or other, of all activities
17 undertaken by CFS or its employees related to Plaintiff;
- 18 6. Creation, modification, programming and use of any computer software and hardware used by
19 CFS to receive, compile and/or maintain information on Plaintiff or Plaintiff's account;
- 20 7. The methods, practices, techniques and strategies used by CFS in training its collection
21 employees concerning compliance with the Fair Debt Collection Practices Act;
- 22 8. The methods, practices, techniques and strategies used by CFS in training its collection
23 employees concerning compliance with the Rosenthal Fair Debt Collection Practices Act;
- 24 9. Any bona fide error defense CFS may have with regard to the allegations set forth in the

- 1 Complaint filed by Plaintiff in this case;
- 2 10. Any bona fide error defense claimed by CFS in any case brought under the Fair Debt Collection
3 Practices Act from January 1, 2009, to the present;
- 4 11. Any bona fide error defense claimed by CFS in any case brought under the Rosenthal Fair Debt
5 Collection Practices Act from January 1, 2009, to the present;
- 6 12. The names, titles, addresses and phone numbers of all persons who participated in designing,
7 creating, furnishing, compiling or printing any and all of the collection letters and notices sent to
8 Plaintiff by CFS in an effort to collect on any account;
- 9 13. The use of letters in the form of Exhibit 1, attached to Plaintiff's Complaint;
- 10 14. The manner of mailing letters in the form of Exhibit 1, attached to Plaintiff's Complaint;
- 11 15. Defendant's discovery responses in this case;
- 12 16. All documents requested by Plaintiff in the course of this case; and
- 13 17. The documents produced for inspection, review and copying noted below.

16 **PLEASE TAKE FURTHER NOTICE** that, pursuant to Fed. R. Civ. P. 30(b) and 34,
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18 Defendant is required to produce at the aforementioned time and place the following documents for
19 inspection, review and photocopying;

- 20 1. All documents in CFS' possession sent to or received from US Bank which in any way relate to
21 the debt owed by Plaintiff;
- 22 2. All operation manuals or similar documents, etc., utilized by CFS relating to compliance with
23 the Fair Debt Collection Practices Act;
- 24 3. All operation manuals or similar documents, etc., utilized by CFS relating to compliance with
25 the Rosenthal Fair Debt Collection Practices Act;
- 26 4. All documents relating to the maintenance of procedures by CFS adapted to avoid any violation

- 1 of the Fair Debt Collection Practices Act;
- 2 5. All documents relating to the maintenance of procedures by CFS adapted to avoid any violation
3 of the Rosenthal Fair Debt Collection Practices Act;
- 4 6. All litigation filed against CFS in the past 3 years alleging violations of the Fair Debt Collection
5 Practices Act, 15 U.S.C. § 1692e;
- 6 7. All litigation filed against CFS in the past 3 years alleging violations of the Fair Debt Collection
7 Practices Act, 15 U.S.C. § 1692e(10);
- 8 8. All litigation filed against CFS in the past 3 years alleging violations of the Fair Debt Collection
9 Practices Act, 15 U.S.C. § 1692g(a)(3);
- 10 9. All litigation filed against CFS in the past 3 years alleging violations of the Fair Debt Collection
11 Practices Act, 15 U.S.C. § 1692g(a)(4);
- 12 10. All litigation filed against CFS in the past 3 years alleging violations of the Fair Debt Collection
13 Practices Act, 15 U.S.C. § 1692g(a)(5);
- 14 11. All litigation filed against CFS in the past 3 years alleging violations of the Rosenthal Fair Debt
15 Collection Practices Act, Cal. Civil Code § 1788.17;
- 16 12. All documents relating to the creation, modification, programming and use of any computer
17 software and hardware used by CFS to receive, compile and/or maintain information on the
18 Plaintiff's account; and
- 19 13. All documents or lists which would contain or explain all abbreviations and codes, letters,
20 numerals, or symbols regularly used by CFS in its records or collection activities.
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1 Dated: September 24, 2012

CONSUMER LAW CENTER, INC.

2 By: _____
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Fred W. Schwinn
Attorney for Plaintiff
BRUCE ALBERT JOHNSON

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1 CERTIFICATE OF SERVICE

2 The undersigned, Fred W. Schwinn, does hereby certify that he caused a true and correct copy
3 of the above and foregoing document to be deposited in the United States mail, postage prepaid,
4 addressed to the following:
5

6 Robert C. Chandler
7 Chandler, Potter & Associates
8 3800 Orange Street, Suite 270
9 Riverside, CA 92501

10 Dated: September 24, 2012

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12 _____
13 Fred W. Schwinn

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